



*A place where families and businesses thrive.*

**Monday, August 10, 2020**

**City Council Regular Meeting Minutes**

**7:00 p.m., Webex Community Auditorium**

***Minutes are unofficial until approved by Council.  
Council approved minutes as presented September 14, 2020.***

**1. CALLED TO ORDER AND ROLL CALL:**

Mayor Peter Truax called the regular City Council meeting to order at 7:10 p.m. via Webex Video Conference.

**COVID-19:** Due to the emergency declaration resulting from COVID-19 (Coronavirus disease) and protocols, the City Council limited in-person contact and social distancing. **The City Council conducted the Council meeting remotely by video conferencing.** The meeting was remotely video conferenced by City Recorder Ruggles and televised live from the projector screen at the Community Auditorium by Tualatin Valley Community Television (TVCTV) Government Access Programming LIVE Channel 30 and Live Streamed on MACC TVCTV YouTube Channel 30. The public was allowed to attend and observe in the Community Auditorium as space allowed. The Council accepted written comments on items not on the agenda submitted by August 10, 2020, 3pm, to the City Recorder.

**ROLL CALL: COUNCIL PRESENT ATTENDED BY WEBEX REMOTELY:** Kristy Kottkey; Timothy Rippe; Elena Uhing; Mariana Valenzuela; Adolph "Val" Valfre; and Mayor Peter Truax. **COUNCIL ABSENT:** Malynda Wenzl, Council President, excused.

**STAFF PRESENT ATTENDED BY WEBEX REMOTELY:** Jesse VanderZanden, City Manager (Webex remotely); Chad Jacobs, City Attorney (Webex remotely); Paul Downey, Administrative Services Director (Webex remotely); Michael Kinkade, Fire Chief (Webex remotely); Henry Reimann, Police Chief (Webex remotely); Gregory Robertson, Public Works Director (Webex remotely); Dan Riordan, Senior Planner (Webex remotely); and Anna Ruggles, City Recorder (in the Community Auditorium).

**2. CITIZEN COMMUNICATIONS:** None.

**3. CONSENT AGENDA:**

Items under the Consent Agenda are considered routine and are adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon

following the approval of the remaining Consent Agenda item(s).

- A. Approve City Council Regular Meeting Minutes of June 22, 2020.
- B. Approve City Council Work Session (Reimagining Policing) Meeting Minutes of June 22, 2020.
- C. Approve City Council Executive Session (City Manager Performance Evaluation) Meeting Minutes of July 13, 2020.
- D. Approve City Council Regular Meeting Minutes of July 13, 2020.
- E. Approve City Council Work Session (Reimagining Policing Vol. 2) Meeting Minutes of July 13, 2020.
- F. Accept Economic Development Commission Meeting Minutes of March 5 and June 18, 2020.
- G. Accept Historic Landmarks Board Meeting Minutes of February 25, 2020.
- H. Accept Planning Commission Meeting Minutes of July 6, 2020.
- I. Accept Resignation on Sustainability Commission (*Tabitha Merten, At-Large, Term Expiring December 31, 2020*) **CERTIFICATE OF APPRECIATION**
- J. **RESOLUTION NO. 2020-78 MAKING ECONOMIC DEVELOPMENT COMMISSION APPOINTMENTS (JUANITA LINT, FG/CORNELIUS CHAMBER; ROB LANGFORD, LARGE MANUFACTURER; AND JONATHAN YAWSON, FOOD/BEVERAGE PROCESSOR, TERMS EXPIRING DECEMBER 31, 2023).**

**MOTION:** Councilor Valfre moved, seconded by Councilor Uhing, to approve the Consent Agenda as presented. **ROLL CALL VOTE:** AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, and Mayor Truax. NOES: None. ABSENT: Malynda Wenzl, Council President. **MOTION CARRIED 6-0.**

**4. ADDITIONS/DELETIONS:**

VanderZanden removed AGENDA ITEM 13, RESOLUTION NO. 2020-85 ACCEPTING CITY ENGINEER'S DRAFT REPORT ON FORMATION OF PROPOSED REIMBURSEMENT DISTRICT, PURSUANT TO CITY CODE SECTIONS 151.110 THROUGH 151.124, "WAUNA CREDIT UNION PUBLIC IMPROVEMENT REIMBURSEMENT DISTRICT". VanderZanden advised that additional time is needed to resolve issues, noting staff will bring back the proposed resolution for consideration at a later date.

**Written Testimony Received:**

Schwabe Williamson & Wyatt, Michael Robinson, attorney representing J. T. Smith Companies, submitted a letter into the record dated August 10, 2020. Smith is requesting that Council not accept the Engineer's Report until Smith and its engineer have had an opportunity to discuss the Reimbursement District (RID) with the City Engineer and

Wauna Credit Union in order to resolve issues concerning the proportional allocation of costs of the RID. Smith is developing the former Albertson's property consisting of 10 tax lots, adjacent to and near Wauna Credit Union, and the proposed RID includes all of Smith's property and adds significant and unanticipated costs to Smith's project.

**5. PRESENTATIONS:**

**5. A. Tuality Healthcare Update**

Lori James-Nielson, President/CEO Oregon Health & Science University (OHSU) and Tuality Healthcare, presented a PowerPoint presentation overview pertaining to Forest Grove Tuality Healthcare's primary care and immediate care during COVID-19 and beyond, noting Tuality has an ongoing commitment to provide access to care in Forest Grove through telehealth, home health, rehab services, immediate care and primary care. Hours of operation remain unchanged: 8 am – 8 pm, 7 days/week.

**5. A. COVID-19 (Coronavirus disease) Update**

Fire Chief Kinkade presented a PowerPoint presentation overview pertaining to COVID-19 Response Update, which was updated in the Council packet. Chief Kinkade presented updates on the Situation Report (3,119 cases in Washington County, 25 deaths; State total is 21,488 cases, 357 deaths statewide); Essential Needs for Forest Grove, Cornelius and Gaston; Community Emergency Outreach (community members may call 2-1-1 for emergency needs); and Food Bank Support and Current Planning Efforts.

**6. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2020-04 AMENDING FOREST GROVE CODE OF ORDINANCES TITLE III (ADMINISTRATION), CHAPTER 35 (CITY ORGANIZATIONS), §35.090 THROUGH §35.099, RELATING TO AMENDING COMMUNITY FORESTRY COMMISSION BYLAWS**

The first reading of Ordinance No. 2020-04 by title occurred at the Council meeting of July 13, 2020.

**Staff Report:**

Riordan presented the above-proposed ordinance for second reading, noting staff had nothing further to report.

**Public Hearing Continued:**

Mayor Truax continued the Public Hearing from the meeting of July 13, 2020, and explained hearing procedures.

**Written Testimony Received:**

No written testimony was received.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

No one testified and no written comments were received.

**Others:**

No one testified and no written comments were received.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing

**Council Discussion:**

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of July 13, 2020.

VanderZanden read Ordinance No. 2020-04 by title for second reading.

**ROLL CALL VOTE: AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, and Mayor Truax. NOES: None. ABSENT: Malynda Wenzl, Council President. MOTION CARRIED 6-0.**

**7. RESOLUTION NO. 2020-79 ACCEPTING CITY OF FOREST GROVE TOURISM BRAND GUIDELINES AND AUTHORIZING THE CITY MANAGER TO TRADEMARK THE TOURISM BRAND**

**Staff Report:**

Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is accepting and authorizing staff to trademark the tourism brand guidelines in Oregon as outlined in Exhibit A. Downey reported the draft tourism brand guidelines were presented at the Council meeting of June 22, 2020, noting the primary logo consists of a folk-art tree centered within a circle and tagline reading *“Branch out in” and “Forest Grove”* and incorporated date “1872”, and “Ore.” are denoted on either side of the trunk as illustrated below:

The logo



Like the mood board, the logo incorporates nature imagery, and a European folk art style. There is no one else in Oregon using this design style, so it's very unique and ownable, while remaining warm and inviting.

Downey reported the existing logo consisting of a maple leaf and grapes and tagline “Where Oregon Pinot was born” and the existing *Savor Forest Grove* website will be deactivated once the new logo is trademarked and the new website is completed. In addition, VanderZanden advised, if approved, the brand guidelines will be trademarked to ensure the new tourism logo remains available for consistent and thematic usage in tourism messaging and that advertisements are reflective of the community, noting the tourism logo does not replace the City’s existing letterhead logo (three leaves). In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider approving the proposed resolution as outlined in Exhibit A, noting the cost to trademark in Oregon is approximately \$1,000 and is included in the marketing budget.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-79.

VanderZanden read Resolution No. 2020-79 by title.

**MOTION:** Councilor Rippe moved, seconded by Councilor Valfre, to approve Resolution No. 2020-79 Accepting City of Forest Grove Tourism Brand Guidelines and Authorizing the City Manager to Trademark the Tourism Brand.

**Council Discussion:**

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE:** AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, and Mayor Truax. NOES: None. ABSENT: Malynda Wenzl, Council President.  
**MOTION CARRIED 6-0.**

**8. RESOLUTION NO. 2020-80 AUTHORIZING CITY MANAGER TO ESTABLISH A CITY MEMBERSHIP TO THE GOVERNMENT ALLIANCE ON RACE AND EQUITY**

**Staff Report:**

Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing the City Manager to establish a City membership to the Government Alliance on Race and Equity (GARE). Downey reported establishing a membership in the GARE will augment efforts as part of Council Goal 1: Support Diversity, Equity, and Inclusion (DEI) in the Delivery of City Services and Operations. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider approving the proposed resolution as outlined in Exhibit A, noting the membership to join the GARE is \$1,000/annually. Downey advised all City memberships must be approved by Council and if approved, membership dues are approved annually as part of the budget process.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-80.

VanderZanden read Resolution No. 2020-80 by title.

**MOTION:** Councilor Rippe moved, seconded by Councilor Uhing, to approve Resolution No. 2020-80 Authorizing City Manager to Establish a City Membership to The Government Alliance on Race and Equity.

**Council Discussion:**

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE:** AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, and Mayor Truax. NOES: None. ABSENT: Malynda Wenzl, Council President. MOTION CARRIED 6-0.

9. **RESOLUTION NO. 2020-81 AUTHORIZING THE DELAY OF INCREASES TO CITY FEES AND RATES UNTIL JANUARY 1, 2021**

**Staff Report:**

Downey presented the above-proposed resolution for Council consideration, noting the above-proposed resolution is authorizing staff to delay increases of city fees and rates from July 1 to October 1 (approved in April 27, 2020) to January 1, 2021, as a way to provide some relief for residents due to the continuing economic effects of the COVID-19 emergency. Downey reported the impact of delaying the fee increases is difficult to determine as the fees are based on the volume of services which can vary and some services are not being provided or there is currently a decreased demand for other services. Downey advised the Water Fund has sufficient funds to absorb

delaying a rate increase for another three months without a large long-term impact. The Light & Power Fund may need to have a slightly larger increase in January 2021 than planned in order to not lose revenue needed to help fund a large capital project that is underway to fix the short-term outages that occur in the Thatcher area. Clean Water Services (CWS) will not be raising its sewer or surface water management (SWM) rates until January 1, 2021, at the earliest. Other surrounding cities are not considering raising fees or rates prior to January 1, 2021. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider approving the proposed resolution as outlined in Exhibit A, noting the last fee and rate increases occurred on July 1, 2019.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-81.

VanderZanden read Resolution No. 2020-81 by title.

**MOTION: Councilor Valfre moved, seconded by Councilor Uhing, to approve Resolution No. 2020-81 Authorizing the Delay of Increases to City Fees and Rates until January 1, 2021.**

**Council Discussion:**

In response to Rippe's concern pertaining to mitigating costs so residents are not hit with steep rate increases, Downey advised staff will review capital projects and update the five-year financial rate plan and try to mitigate costs as much as possible.

In response to Uhing's concern pertaining to providing long-term assistance for the unemployed, Downey advised Washington County is providing county-wide rent/mortgage assistance and water, sewer and/or storm water assistance. This is in addition to the City's assistance for water and electricity. In response to Uhing's inquiry pertaining to whether the City could begin stockpiling firewood for residents who use wood heat in the winter, i.e., cutting surplus timber from the watershed and asking residents who are trimming or cutting down trees, Downey indicated staff has not had discussions about implementing a firewood assistance program. VanderZanden advised the state forestry might have a similar program that staff could research. Mayor Truax added the Community Forestry Commission might be able to assist as well.

Hearing no further concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE: AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, and Mayor Truax. NOES: None. ABSENT: Malynda Wenzl, Council President. MOTION**



CARRIED 6-0.

10. **RESOLUTION NO. 2020-82 ESTABLISHING CITY OF FOREST GROVE  
COMMUNITY POLICING ADVISORY COMMISSION (CPAC)**

**Staff Report:**

Reimann presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to establish the City of Forest Grove Community Policing Advisory Commission (CPAC) and approve the bylaws as outlined in Exhibit A. Reimann reported a work session was held on June 22, 2020, to inform the Council and community about the Police Department's policies and expectations. A second work session was held on July 13, 2020, to discuss establishing a new community policing advisory commission with the purpose of strengthening the relationship between the Police Department and the community through education, awareness and open dialogue. In addition, Reimann reported there was discussion at the work session to increase the number of Community At-Large to reflect upwards of four quadrants from each corner of the City, noting if Council desires to increase the proposed CPAC membership, a motion to amend is required. In conclusion of the above-noted staff report, Reimann advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting staff is proposing a 9-member commission (pursuant to Council Rules 14.4, Composition) with four-year terms (pursuant to Council Rules 14.6, Terms of Office) as follows:

1. Forest Grove School District
2. Centro Cultural
3. LGBTQ (lesbian, gay, bisexual, transgender and queer or questioning)
4. Stand Up For Racial Justice
5. Adelante Mujeres
6. Pacific University
7. Business Representative
8. Community At-Large
9. Student Member (2-year term, pursuant to Council Rules 14.6, Terms of Office)

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-82.

VanderZanden read Resolution No. 2020-82 by title.

**MOTION:** Councilor Uhing moved, seconded by Councilor Valfre, to approve Resolution No. 2020-82 Establishing City of Forest Grove Community Policing Advisory Commission (CPAC).

**Council Discussion:**



In response to Rippe's concern pertaining to associating social justice and racial equity in boards/commissions' bylaws purpose statement, VanderZanden referenced Exhibit A, draft bylaws, §4. 3., which stated "social justice issues, policies and plans associated to public safety."

In response to Valfre's budgetary concern pertaining to Staff Report, Page 2, which stated "the commission will offer cultural awareness, social justice and anti-racism awareness training...", VanderZanden clarified the proposed bylaws §4. 4., states the commission will "review and recommend training".

Uhing suggested having a titled position for the Homeless community, i.e., replacing Adelante Mujeres.

Valenzuela concurred adding a Homeless Representative if the representative was from a specific organization that cared and supported the homeless community.

Kottkey pointed out a change to the term "homeless", noting the term is now being referenced as "houseless", to which Uhing indicated that she serves on the county's homeless advisory committee and "homeless" is still the appropriate term used by the county and state. Valfre concurred with the term "homeless", noting the term "houseless" is typically used for foreclosure and/or evicted from rent. In addition, Kottkey suggested adding three (3) additional Community ~~Liaison~~ At-Large positions, so the four quadrants from each corner of the City were represented, for a total of 13 members. Mayor Truax pointed out the term "liaison" is not a term used for a voting member so the above strikeout occurred. In addition, Kottkey suggested two-year terms to encourage people to apply and serve on a committee who have never served in local government.

Rippe advised the initial appointments will be staggered evenly amongst the membership, i.e., two-year, three-year and four-year terms and thereafter, applicants may reapply for new four-year terms; therefore, Rippe concurred to maintain four-year terms consistent with Council Rules and other boards/commissions.

Hearing no further concerns from the Council, the following motion to amend occurred.

**MOTION TO AMEND:** Councilor Rippe moved, seconded by Councilor Valfre, to amend Resolution No. 2020-82 (Exhibit A, draft Bylaws) to add: one (1) Homeless Representative and three (3) additional Community At-Large. (Exhibit A, draft Bylaws, §5. 1. and §5. 2., Membership, to read "The CPAC membership shall be composed of ~~9~~ 13 Members...").

**Council Discussion:**

Mayor Truax advised he was voting no on the motion to amend, noting there was a lot of serious discussion about the number of members serving on the boards/commissions (no more than nine members Council Rules §14. 4. Composition). Mayor Truax pointed out that making an exception allows for exceptions in the future to other boards/commissions.

Uhing indicated the Council made an allowance for the Economic Development Commission (EDC), so there is an opportunity to make changes on a case-by-case basis. VanderZanden advised that EDC reduced its membership from 19 to 15 members and is still trying to reduce its membership further. Uhing advised that she is pulling back on her vote (abstaining), because Council President Wenzl was not present and Wenzl was the most outspoken about the consistency of the number of members serving on boards/commissions.

**VOICE VOTE ON MOTION TO AMEND: AYES: Councilors Kottkey, Rippe, Valenzuela, and Valfre. NOES: Mayor Truax. ABSENT: Malynda Wenzl, Council President. MOTION CARRIED 4-1. Councilor Uhing abstained.**

**Council Discussion:**

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the motion on floor as amended.

**ROLL CALL VOTE AS AMENDED: AYES: Councilors Kottkey, Rippe, Valenzuela, Valfre, and Mayor Truax. ABSENT: Malynda Wenzl, Council President. MOTION CARRIED 5-0. Councilor Uhing abstained.**

**11. RESOLUTION NO. 2020-83 APPROVING THE DISSOLUTION OF CITY OF FOREST GROVE PUBLIC SAFETY ADVISORY COMMISSION AND REPEALING RESOLUTION NOS. 2005-56 AND 2015-28**

**Staff Report:**

Riemann presented the above-proposed resolution for Council consideration, noting the proposed resolution is approving the dissolution of City of Forest Grove Public Safety Advisory Commission (PSAC). Riemann reported at the work session held on July 13, 2020, to discuss the purpose and membership of PSAC and in response to public input regarding racial and social justice in the practice of community policing, the Council concurred to dissolve the PSAC at this time and establish a new community policing advisory commission. In conclusion of the above-noted staff report, Reimann advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting the Council established the new Community Policing Advisory Commission pursuant to Resolution No. 2020-82

(Agenda Item 10 above).

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-83.

VanderZanden read Resolution No. 2020-83 by title.

**MOTION:** Councilor Valfre moved, seconded by Councilor Rippe, to adopt Resolution No. 2020-83 Approving the Dissolution of City of Forest Grove Public Safety Advisory Commission and Repealing Resolution Nos. 2005-56 and 2015-28.

**Council Discussion:**

Rippe commended PSAC for their valuable service, noting PSAC advised Council on many important issues, from a five-year operating levy to implementing marijuana dispensaries ordinances.

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE:** AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, and Mayor Truax. NOES: None. ABSENT: Malynda Wenzl, Council President. MOTION CARRIED 6-0.

12. **RESOLUTION NO. 2020-84 AUTHORIZING CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN WASHINGTON, CLACKAMAS, AND COLUMBIA COUNTIES PUBLIC SAFETY AGENCIES, AND CITY OF FOREST GROVE, OREGON, TO CREATE A REGIONAL ENTERPRISE GEOGRAPHIC INFORMATION SYSTEM (REGIS) GROUP**

**Staff Report:**

Kinkade presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing the City Manager to execute an Intergovernmental Agreement (IGA) between Washington, Clackamas, and Columbia Counties Public Safety Agencies, and City of Forest Grove, to create a Regional Enterprise Geographic Information System (REGIS) Group. Kinkade reported Tualatin Valley Fire and Rescue (TVF&R) entered into a personal services contract with Intterra Group in 2013 for Geospatial Information Management for Improved Decision Support, noting TVF&R has assumed responsibility for the contract and the IGA seeks to establish a formal governance and payment structure for continued operations. The participants in the IGA agree to share electronic geospatial information, i.e., fire trucks, hydrants, locations, on a common visual platform to enhance mutual

operations to emergency response. In conclusion of the above-noted staff report, Kinkade advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting Forest Grove has been participating in REGIS for approximately two years and the annual contribution is approximately \$3,000, which is included in the Fiscal Year 2020-21 budget.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-84.

VanderZanden read Resolution No. 2020-84 by title.

**MOTION:** Councilor Uhing moved, seconded by Councilor Rippe, to approve Resolution No. 2020-84 Authorizing the City Manager to Execute an Intergovernmental Agreement (IGA) between Washington, Clackamas, and Columbia Counties Public Safety Agencies, and City of Forest Grove, Oregon, to create a Regional Enterprise Geographic Information System (REGIS) Group.

**Council Discussion:**

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE:** AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, and Mayor Truax. NOES: None. ABSENT: Malynda Wenzl, Council President. MOTION CARRIED 6-0.

**13. RESOLUTION NO. 2020-85 ACCEPTING CITY ENGINEER'S DRAFT REPORT ON FORMATION OF PROPOSED REIMBURSEMENT DISTRICT, PURSUANT TO CITY CODE SECTIONS 151.110 THROUGH 151.124, "WAUNA CREDIT UNION PUBLIC IMPROVEMENT REIMBURSEMENT DISTRICT"**

VanderZanden removed the above-noted item from the Agenda; refer to Agenda Item 4 above.

**14. RESOLUTION NO. 2020-86 AMENDING THE CITY OF FOREST GROVE'S DECLARATION OF STATE OF EMERGENCY, EFFECTIVE MARCH 14, 2020, AT 1:00 P.M., TO BE EXTENDED AND REMAIN IN EFFECT UNTIL 8:00 P.M. ON SEPTEMBER 14, 2020, UNLESS SUPERSEDED SOONER; AMENDING RESOLUTION NO. 2020-77**

**Staff Report:**

Mayor Truax presented the above-proposed resolution for Council consideration, noting the resolution is extending the duration of the City's emergency declaration that went into effect March 14, 2020, through April 13, 2020; extended through April 30,

2020 (first time); extended to May 11, 2020 (second time); extended to May 31, 2020 (third time); extended to June 8, 2020 (fourth time); extended to June 22, 2020 (fifth time); extended to July 13, 2020 (sixth time); extended to August 10, 2020 (seventh time); and now extending to remain in effect until 8:00 p.m. September 14, 2020 (eighth time), unless superseded sooner. Mayor Truax advised he will remain in compliance with the Governor's State of Emergency and extend the City's declaration if needed due to COVID-19 public health emergency.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-86.

VanderZanden read Resolution No. 2020-86 by title.

**MOTION:** Council Rippe moved, seconded by Councilor Uhing, to approve Resolution No. 2020-86 Amending the City of Forest Grove's Declaration of State of Emergency, Effective March 14, 2020, at 1:00 P.M., to be extended and remain in effect until 8:00 P.M. on September 14, 2020, unless superseded sooner; Amending Resolution No. 2020-77.

**Council Discussion:**

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE:** AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, and Mayor Truax. NOES: None. ABSENT: Malynda Wenzl, Council President.  
**MOTION CARRIED 6-0.**

**15. COUNCIL COMMUNICATIONS:**

Kottkey had nothing new to report; however, Kottkey indicated that she supports Uhing's request to hold a Council meeting or mini-retreat in early September and no later than November (refer below).

Rippe indicated he supports Uhing's request to hold a meeting or mini-retreat, noting it is necessary so Council can deliberate on the Council Rules and its roles and responsibilities. In addition, Rippe reported attending Forest Grove/Cornelius Chamber of Commerce's retreat and highlighted various Chamber-related activities, i.e., community calendar and revamping website. Rippe reported attending Western Washington County Fire District Task Force's virtual meeting, noting the committee is reviewing legalities of forming a district and election timeline requirements.

Uhing reported on the Washington County Homeless Plan Advisory Committee's Annual Report. Uhing reported on the urgency of needing to be prepared as a

community to mitigate the economic consequences of the widespread unemployment and economic hardships from COVID-19. Uhing referenced a letter that she e-mailed to each Councilor and City Manager on August 8, 2020, Letter to Forest Grove Council (My opinion) – 08/07/2020, regarding the handling of a letter that was sent to the *NewsTimes*, Mayor and Council President's Open Letter to the Community, July 2020. Uhing requested that Mayor Truax set a date and time certain in September to hold either a Council work session, executive session or mini-retreat to discuss the matters more fully with the entire Council and work through the issues that she outlined in the her letter. Uhing indicated that she would like to work through the issues as soon as possible so she can run her campaign, noting she is up for re-election as well as two other councilors in November, 2020.

Valenzuela reported the Public Arts Commission plans to meet virtually soon.

Valfre reported the Library has increased free Wi-Fi hot stops. In addition, Valfre reported on legislated-related matters of interest and webinars he attended and reported on upcoming meetings he was planning to attend.

Council President Wenzl was absent.

**16. City Manager's Report:**

VanderZanden presented the City Manager's Report, dated August 10, 2020. VanderZanden reported Washington County is opening a 50 site, managed, outdoor camping location for houseless adults called the "Safe Sleep Village", located at Washington County Fair Complex. As mentioned earlier, Washington County approved an Intergovernmental Agreement with Community Action to provide rental/mortgage assistance and for water, sewer and/or storm water assistance. This funding is in addition to the City's assistance for water and electricity. Washington County Cooperative Library Services Executive and Policy Committees will be considering implementing a fine-free policy for all member libraries in November. Staff will make a presentation to Council in September. In addition, VanderZanden reported on various department-related activities and projects as outlined in the activity report.

**17. MAYOR'S REPORT:**

Mayor Truax announced dates of various upcoming activities, events and meetings as noted in the Council Calendar. Mayor Truax reported attending the Oregon Mayors Association Virtual Conference. Mayor Truax reported on National League of Cities-related matters of interest. In addition, Mayor Truax reported on various local, regional, Metro, and Washington County-related matters of interest and virtual meetings he attended, upcoming community-related events, and upcoming virtual meetings he was planning to attend.



Council Discussion:

Mayor Truax reopened the floor to allow Councilors who had their hands raised prior to adjourning an opportunity to speak.

In response to Kottkey's inquiry pertaining to the ability of Councilors meeting with one another in another capacity, Jacob advised it is permissible to meet, i.e., for coffee, if there is less than a quorum of the members and warned about avoiding serial meetings. In response to the urgency of needing to meet as a governing body, Jacob advised pursuant to Council Rules, §3.4., Special Meeting, a meeting may be called by the Mayor or at the request of four members of the Council, i.e., if for some reason the Mayor does not call a meeting, four Councilors can call a meeting at the next regular Council meeting by motion and vote.

Valenzuela indicated she is available on a Saturday, noting she understands that everyone has busy calendars but she feels that the conversation needs to be with the entire Council and not two members and she would like to meet as a governing body sooner rather than later and before November.

In response to Uhing's concerns addressed in her letter and whether the Mayor, Council President and city staff/city attorney met privately (secret meeting) and made a decision to issue a written response that Uhing stated she felt reflected the consensus of the Council, Jacob affirmed for the public that there was never any quorum of the Council or illegal meeting held in violation of the public meeting laws. In addition, Jacob advised that staff needs to get a better framework and scope and determine the process for the type of meeting, i.e., if any of the discussions will require setting aside time for an executive session.

VanderZanden affirmed that he would work with individual Councilors to discuss potential dates and get a better idea about the scope and expectations for a "mini-retreat" work session that reflects the consensus of the Council, i.e., based on the discussion heard:

- Councilor Communications that are permitted
- Roles of Mayor and Council President
- Roles and responsibilities of individual Councilors
- City Council as a governing body

In conclusion of the above-noted discussion, Council collectively concurred to hold a "mini-retreat" work session as soon as possible to discuss the issues openly and transparently. VanderZanden affirmed that he would work with the City Attorney to determine if an executive session was also needed. In addition, Mayor Truax affirmed that he would work with City Manager and set a date that works with everyone's schedule.



18. **ADJOURNMENT:**

Mayor Truax adjourned the regular Council meeting at 10:00 p.m.

Respectfully submitted,



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Anna D. Ruggles, CMC, City Recorder